

<i>Attorney or Party without Attorney:</i> GLENN C. COLTON Law Offices Of: Wilson Sonsini Goodrich & Rosati 900 SOUTH CAPITAL OF TEXAS HIGHWAY AUSTIN, TX 78746 Telephone No: 512-338-5400 FAX No: 512-338-5499		<i>For Court Use Only</i>	
<i>Attorney for: Plaintiff</i> Insert name of Court, and Judicial District and Branch Court: United States District Court, Southern District Of New York		<i>Ref. No. or File No.:</i>	
<i>Plaintiff:</i> FLUIDIGM CORPORATION <i>Defendant:</i> APPLIED BIOSYSTEMS, INC.			
PROOF OF SERVICE S&C		Hearing Date:	Time:
			Dept/Div:
		Case Number: 08 CIV 5248(MGC)	

1. *At the time of service I was at least 18 years of age and not a party to this action.*
2. I served copies of the SUMMONS AND COMPLAINT;; CIVIL CASE COVER SHEET; DISCLOSURE STATEMENT; ECF RULES; JUDGE CEDERBAUM RULES; JUDGE FOX RULES
3. a. *Party served:* **APPLIED BIOSYSTEMS, INC. BY SERVING REGISTERED AGENT, ANDRE F. MARION**
b. *Person served:* **JUDY BASKIN, LEGAL DEPARTMENT**
4. *Address where the party was served:* **4000 FOSTER CITY BLVD.
FOSTER CITY,, CA 94404**
5. *I served the party:*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Jun. 09, 2008 (2) at: 3:56PM
6. *The "Notice to the Person Served" (on the Summons) was completed as follows:*
 - a. as an individual defendant
7. *Person Who Served Papers:*

a. KRIS W. VORSATZ	Recoverable Cost Per CCP 1033.5(a)(4)(B)
b. GOTCHA SUBPOENA SERVICES	d. The Fee for Service was: \$288.00
161 W. 25TH AVENUE, SUITE 102-C, Registration # 237 P.O. BOX 6695 SAN MATEO, CA 94403 c. 650 577-1860, FAX 650-577-1875	e. I am: (3) registered California process server
	(i) Independent Contractor
	(ii) Registration No.: 1160
	(iii) County: Santa Clara
	(iv) Expiration Date: Sat, Aug. 15, 2009

8. *I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Date:Tue, Jun. 10, 2008

<i>Attorney or Party without Attorney:</i> GLENN C. COLTON Law Offices Of: Wilson Sonsini Goodrich & Rosati 900 SOUTH CAPITAL OF TEXAS HIGHWAY AUSTIN, TX 78746		<i>For Court Use Only</i>	
Telephone No: 512-338-5400	FAX: No: 512-338-5499	Ref. No or File No.:	
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court, Southern District Of New York			
<i>Plaintiff:</i> FLUIDIGM CORPORATION <i>Defendant:</i> APPLIED BIOSYSTEMS, INC.			
DECLARATION OF DUE DILIGENCE	Hearing Date:	Time:	Dept/Div:
			Case Number: 08 CIV 5248(MGC)

1. I, KRIS W. VORSATZ, and any employee or independent contractors retained by GOTCHA SUBPOENA SERVICES are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant APPLIED BIOSYSTEMS, INC. BY SERVING REGISTERED AGENT, ANDRE F. MARION as follows:
2. *Documents:* SUMMONS AND COMPLAINT;; CIVIL CASE COVER SHEET; DISCLOSURE STATEMENT; ECF RULES; JUDGE CEDERBAUM RULES; JUDGE FOX RULES.

Day	Date	Time	Location	Results
Mon	06/09/08	3:56pm	Business	Personal Service on: APPLIED BIOSYSTEMS, INC. BY SERVING REGISTERED AGENT, ANDRE F. MARION Business - 4000 FOSTER CITY BLVD. FOSTER CITY,, CA. 94404 by Serving: JUDY BASKIN, LEGAL DEPARTMENT Authorized to Accept. Served by: KRIS W. VORSATZ
Tue	06/09/20	3:32pm	Business	CANT SERVE HERE, AGENT NOT HERE, NO ONE AUTHORIZED TO ACCEPT HERE, MUST SERVE AT LEGAL DEPARTMENT, 4000 FOSTER CITY BLVD., FOSTER CITY, CA 94404 Attempt made by: KRIS W. VORSATZ. Attempt at: 850 LINCOLN CENTRE DRIVE FOSTER CITY, CA. 94404.

3. *Person Executing*
 - a. KRIS W. VORSATZ
 - b. GOTCHA SUBPOENA SERVICES
161 W. 25TH AVENUE, SUITE 102-C, Registration # 237
P.O. BOX 6695
SAN MATEO, CA 94403
 - c. 650 577-1860, FAX 650-577-1875

Recoverable Costs Per CCP 1033.5(a)(4)(B)
d.. The Fee for service was: \$288.00
e. I am: (3) registered California process server
(i) Independent Contractor
(ii) Registration No.: 1160
(iii) County: Santa Clara
(iv) Expiration Date: Sat, Aug. 15, 2009
4. *I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.*

Date: Tue, Jun. 10, 2008

DECLARATION OF DUE DILIGENCE

(KRIS W. VORSATZ)

colton.53565